REMARKS

Applicant respectfully requests reconsideration of this application in light of the amendments and remarks made herein. Claims 1-3, 6-10, 18-20 and 31 stand rejected under § 103(a) as being obvious over U.S. Patent No. 5,429,470 to Nicol et al. (hereinafter referred to as "Nicol") in view of U.S. Patent No. 5,815,409 to Lee et al. (hereinafter referred to as "Lee"). Claims 11-17 stand rejected under § 103(a) as being obvious over Nicol in view of U.S. Patent No. 4,204,249 to Dye et al. (hereinafter referred to as "Dye"). Claims 4, 5, 23, 25 and 28-30 stand rejected under § 103(a) as being obvious over Nicol in view of Lee and further in view of Dye. Claim 24 stands rejected under § 103(a) as being obvious over Nicol in view of Lee and further in view of U.S. Patent Application Publication No. 2002/0091807 to Goodman (hereinafter referred to as "Goodman"). Claim 26 stands rejected under § 103(a) as being obvious over Nicol in view of Lee and further in view of Dye and further in view of Goodman. Claim 27 stands rejected under § 103(a) as being obvious over Nicol in view of Lee and further in view of Dye and further in view of U.S. Patent No. 6,574,740 to Odaohhara et al. (hereinafter referred to as "Odaohhara"). Claims 21 and 22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. New claim 32 is presented for examination.

In brief, the present claimed invention is directed to a data cartridge library having soft power capability for power consuming components comprised by the library. More specifically, soft power capability can provide enough power for the component(s) to reach a stable quiescent state before power is terminated or alternatively control power for a stable start-up. The library generally comprises a plurality of storage locations each capable of holding at least one data storage element, a data transfer interface for establishing a communication path between one of the data storage elements and host computer, a transport unit for moving one of the data storage elements between one of the storage locations and the data transfer interface, a power supply, a power switch and a power controller. The power controller is capable of monitoring the power switch for a transition between an ON and OFF state and upon detection of the transition controlling the application of power to the component.

8

Rejections Under 35 U.S.C. § 112

Claim 4 stands rejected under 35 U.S.C. § 112, second paragraph, "as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention." More specifically, there is insufficient antecedent basis for the limitation "detection of said transition of said power switch from said OFF state to said ON state".

Applicant has canceled claim 4 herein without prejudice, obviating the rejection of this claim. Applicant may pursue the subject matter of this claim in this or other related applications.

Rejections Under 35 U.S.C. § 103

Claims 1-3, 6-10, 18-20 and 31 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Nicol in view of Lee.

Nicol is directed to an inter-system transport mechanism for moving data cartridges between a first data storage assembly and a second data storage assembly of a robotic data cartridge handling system. The handling system comprises at least two storage assemblies, each including an inventory control system for creating a current inventory of data cartridges in each storage assembly when the handling system is turned on. Once fully powered, the handling system is free to function in regularity with components therein functioning under normal operating duty cycles.

With regards to Applicant's independent claim 1, Examiner alleges that "Nicol discloses a robotic data storage library with soft power capability, the library comprising..." Nicol does not disclose a robotic data storage library with soft power capabilities. Rather, Nicol is directed to a robotic storage library with an inter-system transport system that operates in a feedback system during "normal duty cycle activity". As evidenced by even the Examiner's own analysis, the operation of Nicol's inter-system transport cannot be construed as soft power capability as defined by the Applicant, "Soft power capability comprises controlling the application of power to components of the robotic data storage library 100 during a transition between an ON state and an OFF state. In a transition from an OFF state to an ON state, for example, a robotic data storage library can sequence the start up of power supplies and/or sequence the activation of library components to prevent large influxes of current. In a transition from an ON state to an OFF state, for example, a robotic data storage

9

library can inform the components of an impending termination of power to enable the components to reach a quiescent state before the power supply to the components is terminated." (Paragraph [0030]). Examiner admits to this fact by declaring,

> "Nicol fails to disclose a power supply unit for providing power to a component of a power switch switchable between an ON state and an OFF state; and a power controller for monitoring said power switch for a transition between said ON state and said OFF state and after detecting said transition of said power switch between said ON state and said OFF state, controlling power applied to said component."

In other words, Nichols fails to teach or suggest soft power capability.

Examiner alleges that Lee makes up for the deficiencies of Nicol. Lee is directed to a control system for shutdown of a power supply that provides electrical energy to a computer system, such as an Uninterruptible Power Supply (UPS). Lee relies on a Switching Mode Power Supply (SMPS) that receives a remote on/off signal from a switch unit that is switchable between an ON an OFF state. Lee solves certain problems with contemporary external auxiliary power sources, such as shutting down a computer safely upon receiving a remote signal that a main power source has been shut off.

In contrast, Applicant's claimed invention is directed to a "robotic data storage library with soft power capability, the library comprising:... a power supply for providing power to a component of the library; a power switch switchable between an ON state and an OFF state; and a power controller..." as recited in independent claim 1. Lee's power supply is not comprised by a library (or intended for a robotic library for that matter) but rather is an external power supply functioning to furnish energy to a computer system, "to control interruption of electrical energy furnished by a power supply to a computer system" (Column 3, lines 19-23). This is further exemplified by Lee's disclosed solution to the purported drawbacks of the prior art in his background section wherein Lee generally discusses the drawbacks of other UPS systems (see Column 1, lines 25-67 and column 2, lines 1-61). In addition, Applicant's library comprises a power switch. Lee does not disclose a library, or for that matter a computer system, comprising a power switch but rather discloses a remote switch system, as Examiner explains, "Lee teaches a switching mode power supply (SMPS) (FIG. 4, 10) controlled by a remote ON/OFF signal (FIG. 4, Remote ON/OFF Signal) and a

control circuit (FIG. 4, 30) incorporating a <u>power ON/OFF switch...</u>" Furthermore, Lee fails to teach or suggest a control circuit, that can be correlated to Applicant's control circuit that is comprised by a library.

Lee does not make up for the deficiencies of Nicol because Lee also fails to teach or suggest a <u>library system with</u> soft power capability (the library system) <u>comprising</u>: a <u>power supply</u>, a <u>power switch</u> and a <u>power controller</u> all used in combination for. Because Lee fails to make up for the deficiencies of Nicol, the combination of Lee with Nicol fails to render independent claim 1 obvious. Applicant therefore respectfully submits that claim 1 is allowable.

Dependent claim 2 depends directly from independent claim 1 which, as discussed above, is distinguishable over Nicol in view of Lee. Because the combination of Nicol and Lee does not teach or suggest every element recited by Applicant's independent claim 1, the combination cannot render obvious dependent claim 2. Furthermore, claim 2 recites "said power controller comprises means for terminating the application of power to said <u>component</u> after a fixed amount of time has expired since detecting said transition of said power switch from said ON state to said OFF state." Examiner incorrectly asserts that "Lee further teaches <u>the library</u>, wherein..." Lee does not disclose or teach anything about a library. Examiner admits that

> "Lee does not specifically state power controller comprises means for terminating the application of power to said component after a fixed amount of time has expired since detecting said transition of said power switch from said ON state to said OFF state. However, Lee teaches the power controller issuing the Power Shutdown Signal (i.e. termination of power) after execution of the corresponding interrupt service routine indicating completion of the shutdown process (column 5, line 43-column 6, line 12). Thus, the delay time for power termination is controlled by the interrupt service routine (i.e. software controlled) and could be fixed or variable. Thus, Lee inherently discloses [Applicant's claim 2]."

This is incorrect because, as Lee states just after the lines cited (column 5, line 43-column 6, line 12), Lee describes the computer system shutting down based on the computer's storage

11

activity which is <u>not inherently fixed</u>,

> "As described above, the present invention advantageously generates an interrupt signal as soon as the power switch is turned off thus controlling a system, e.g., a central processing unit, to perform a shutdown process prior to allowing the voltage level applied to the system to drop thus ensuring that damage to a file or the system is prevented. Consequently, with the present invention, a control system automatically shuts down the supply of electrical power while preventing a file from being damaged or the system from corrupted due to automatic precipitous interruption of power during the shutdown process by the power control system, even though the power switch may have been turned OFF due to the carelessness of the user or by some other external factor" (Column 6, lines 13-26).

Thus, the combination of Nicol and Lee fails to render claim 2 obvious for this further reason. Applicant thus respectfully submits that claim 2 is allowable.

Dependent claim 3 depends directly from independent claim 1 which, as discussed above, is distinguishable over Nicol in view of Lee. Even assuming, *arguendo*, that the Examiner's combination of Nicol and Lee is proper, and assuming that the Examiner's contention regarding the combined disclosure of Nicol and Lee is accurate, the proffered combination still fails to teach or suggest each element of independent claim 1, such as a robotic data storage library <u>with soft power capability</u> wherein the <u>library comprising:</u>... <u>a power supply</u> for providing power to a component of the library; <u>a power switch </u>switchable between an ON state and an OFF state; and <u>a power controller</u>, and thus cannot render dependent claim 3 obvious. Applicant thus respectfully submits that claim 3 is allowable.

Dependent claim 6 depends directly from independent claim 1 which, as discussed above, is distinguishable over Nicol in view of Lee. The combination of Nicol and Lee still does not teach or suggest every element recited by Applicant's independent claim 1, and therefore, cannot render obvious dependent claim 6. Furthermore, claim 6 recites "The library, as claimed in claim 1, wherein: said power supply comprises a power input interface for receiving power from a power source and a power output interface for <u>providing power to components of the library</u>." As noted earlier, Examiner's assertion that "Lee further teaches a

library that..." is incorrect because Lee does not disclose or teach anything about a library. Furthermore, Lee fails to teach power being provided to components of a library, rather, Lee teaches power from his power supply providing power to a computer system as a unit and hence does not distinguish any components. Thus, the combination of Nicol and Lee fails to render claim 6 obvious for at least this further reason. Applicant thus respectfully submits that claim 6 is allowable.

Dependent claim 7 depends directly from independent claim 1 which, as discussed above, is distinguishable over Nicol in view of Lee. The combination of Nicol and Lee still does not teach or suggest every element recited by Applicant's independent claim 1, and therefore, cannot render obvious dependent claim 7. Furthermore, claim 7 recites "The library, as claimed in claim 1, wherein: said power switch comprises <u>a user interface</u> that allows an individual to transition said power switch between said ON state and said OFF state." As Applicant has earlier pointed out, Lee does not teach or suggest anything about a library. Furthermore, Lee fails to teach a power switch comprising a user interface; rather Lee simply refers to power being "turned OFF due to carelessness of a user though a power switch is turned OFF due to carelessness of a user or due to an external factor" (Column 1, Lines 20-22). Examiner's inference that Lee discloses or teaches a user interface is presumptive and hence, for at least this reason, cannot render claim 7 obvious in view of Nicol and Lee. Applicant therefore respectfully submits that claim 7 is allowable.

Dependent claim 8 depends directly from independent claim 1 which, as discussed above, is distinguishable over Nicol in view of Lee. The combination of Nicol and Lee still does not teach or suggest every element recited by Applicant's independent claim 1, and therefore, cannot render obvious dependent claim 8. Furthermore, claim 8 recites "The library, as claimed in claim 1, wherein: said <u>power switch comprises an interface</u> that allows an <u>external device</u> to transition said power switch between said ON state and said OFF state." As discussed earlier, Lee does not teach or suggest a library. Furthermore, Lee fails to teach a power switch comprising a user interface operable with an external device; rather Lee simply refers to power being "turned OFF due to carelessness of a user though a power switch is turned OFF due to carelessness of a user or due to an <u>external factor</u>" (Column 1, Lines 20-22). As previously discussed, Examiner's inference that Lee discloses or teaches a user interface is presumptive. In addition, Lee's "<u>external factor</u>" is not an external device, it

13

is a factor, such as a power outage, and hence, has nothing to do with an external device. Thus, the combination of Nicol and Lee fails to render claim 8 obvious for at least this further reason. Applicant thus respectfully submits that claim 8 is allowable.

Dependent claim 9 depends directly from dependent claim 8 which, as discussed above, is distinguishable over Nicol in view of Lee. The combination of Nicol and Lee still does not teach or suggest every element recited by Applicant's dependent claim 8, and therefore, cannot render obvious dependent claim 9. Furthermore, claim 9 recites "The library, as claimed in claim 8, wherein: said interface comprises a host computer interface that allows said host computer to transition said power switch between said ON state and said OFF state." As Applicant noted earlier, Lee does not teach or suggest anything about a library. Furthermore, the combination of Nicol's MUC receiving commands for a host computer in combination with Lee's switch system is not combinable to make Applicant's invention obvious at least because as Examiner admits, Lee transmits switch signals remotely to a power supply that is not comprised by a library or computer system. Thus, the combination of Nicol and Lee still fails to render claim 9 obvious for at least this further reason. Applicant thus respectfully submits that claim 9 is allowable.

Dependent claim 10 depends directly from dependent claim 8 which, as discussed above, is distinguishable over Nicol in view of Lee. Even assuming, _arguendo_, that the Examiner's combination of Nicol and Lee is proper, and assuming that the Examiner's contention regarding the combined disclosure of Nicol and Lee is accurate, the proffered combination still fails to teach or suggest each element of independent claim 1 and dependent claim 8, such as a soft power capable robotic data storage library comprising a power supply, a power switch, a power controller, and an external device, and thus cannot render dependent claim 10 obvious. Applicant thus respectfully submits that claim 10 is allowable.

Independent claim 18 features a soft power capable robotic library comprising: storage locations, a data transfer interface, a transport unit, a power supply for providing power to a component of the library, a power switch, a power controller and the capability for "issuing a power termination message to said component concerning termination of power applied to said component." As Examiner admits,

> "Nicol fails to disclose a power supply for providing power to a component of the library, a power switch... a power controller... [or]

14

> issuing a power termination message to said component concerning termination of power applied to said component."

As previously discussed, Lee's power supply is also not comprised by a computer system or library, but rather is an external power supply functioning to furnish energy to a computer system, "to control interruption of electrical energy furnished by a power supply to a computer system" (Column 3, lines 19-23). Further, neither Lee nor Nicol describe or teach a library comprising a power switch or a power controller. Additionally, Lee's power supply is controlled by a remote ON/OFF signal, presumably from a wall switch which is very different from Applicant's claimed invention. In addition, Lee's power supply is for a computer system and does not delineate issuing a power termination message to a component within the system. Because Lee and Nicol do not teach or suggest all of the elements in Applicant's claimed invention and because Lee's and Nicol's solutions are used for different purposes, it is clear that the references cannot be combined to make Applicant's claimed invention and hence, one of ordinary skill in the art would not be motivated to combine the references rendering Applicant's claimed invention obvious. Applicant thus respectfully submits that claim 18 is allowable.

Dependent claim 19 depends directly from dependent claim 18 which, as discussed above, is distinguishable over Nicol in view of Lee. The combination of Nicol and Lee still does not teach or suggest every element recited by Applicant's dependent claim 18, and therefore, cannot render obvious dependent claim 19. Furthermore, claim 19 recites "The library, as claimed in claim 18, wherein: said power controller comprises means for terminating the application of power to said component after a fixed amount of time has expired since issuing said power termination message to said component." As noted earlier, Examiner's assertion that "Lee further teaches a library that..." is incorrect because Lee does not disclose or teach anything about a library. Furthermore, as previously discussed, Lee does not inherently disclose anything about a fixed amount of time for power termination; rather, Lee's system is described as shutting the computer system down based on the computer's storage activity which is not inherently fixed (see Column 6, lines 13-26). In addition, Lee is not directed to a component of a library but rather a computer system as a whole (see Column 3, lines 19-23). Thus, the combination of Nicol and Lee still fails to render claim 19 obvious for at least these further reasons. Applicant thus respectfully

15

submits that claim 19 is allowable.

Dependent claim 20 depends directly from dependent claim 18 which, as discussed above, is distinguishable over Nicol in view of Lee. The combination of Nicol and Lee still does not teach or suggest every element recited by Applicant's dependent claim 18, and therefore, cannot render obvious dependent claim 20. Furthermore, claim 20 recites "The library, as claimed in claim 18, wherein: said power controller comprises means for terminating the application of power to said component after a variable amount of time has expired since issuing said power termination message to said component." As discussed earlier Lee does not teach or suggest a library. Furthermore, Lee is not directed to a component of a library but rather a computer system as a whole (see Column 3, lines 19-23). Thus, the combination of Nicol and Lee still fails to render claim 20 obvious for at least this further reason. Applicant thus respectfully submits that claim 20 is allowable.

Independent claim 31 features a soft power capable robotic library comprising: storage locations, a data transfer interface, a transport unit, a power supply for providing power to a component of the library, a power switch..." As Examiner admits,

> "Nicol fails to disclose a power supply for providing power to a component of the library, a power switch..."

As previously discussed, Lee's power supply is also not comprised by a computer system or library, but rather is an external power supply functioning to furnish energy to a computer system, "to control interruption of electrical energy furnished by a power supply to a computer system" (Column 3, lines 19-23). Further, neither Lee nor Nicol describe or teach a library comprising a power switch. Also, Lee's power supply is for a computer system and does not delineate issuing a power termination message to a component within the system as recited in Applicant's claim 31, "controlling power applied to said component after detecting said transition between said ON state and said OFF state." Because Lee and Nicol fail to teach or suggest all of the elements that can be correlated to Applicant's claimed invention, combining the references cannot render Applicant's claimed invention operable, hence, one of ordinary skill in the art would not be motivated to combine the references rendering Applicant's claimed invention obvious. Applicant thus respectfully submits that claim 31 is allowable.

Claims 11-17 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over

16

Nicol in view of Dye.

Dye is directed to a maintenance feedback system for a data processing system wherein the data processing system analyzes the status of each associated subsystem. Dye's system comprises multi-tiered power supplies, wherein there is a central power supply that provides power to a plurality of subsystem power supplies that each provide power to a subsystem component. Power is provided to each power supply sequentially whereby each power supply, when powered, is subjected to service routines that check the health (correct operation) of each power supply unit.

Independent claim 11 features a soft power capable robotic library comprising: storage locations, a data transfer interface, a transport unit, a power supply, a power switch, a power controller and "...after detecting said transition of said power switch from said OFF state to said ON state, delaying power applied to said component for a period of time after detection of said transition of said power switch from said OFF state to said ON state." Examiner asserts that Dye teaches "the Power On Sequencing Routine controlling the powering up for each individual subsystem such that power to the next regulator is applied after a time delay (column 8, lines 12-14, lines 22-26) (i.e. the state of the power switch is monitored and upon detection of it being transitioned from OFF to ON state, powering up in sequence individual subsystems, the power for each subsystem delayed from the previous one)" wherein the Examiner incorrectly compares some functionality of the primary power supply and some function of the plurality of subsystem power supplies with Applicant's power supply in Applicant's library system. Dye teaches diagnostics for subsystem power supplies. Dye does not teach or suggest delaying power to a first subsystem power supply only subsequent power supplies in a sequential manner. Furthermore, Dye does not teach delaying power provided from a subsystem power supply to the subsystem component. The time delays Dye refers to is not to delay power to a component, such as in Applicant's claim 11, but rather is an inherent delay for the sequencing power to each successive subsystem power supply after the first subsystem power supply for diagnostic purposes. In fact, Dye even teaches that surges are NOT protected by his system and offers commercially available regulators as a general solution, but mentions nothing about time delays:

> "One difficulty associated with the present microprogrammed power
> control system is that the speed of scanning is in general too slow to

17

provide <u>protection against catastrophic overvoltage of a power supply.</u>
Thus this protection must be built into each power supply in the system,
and this protection is normally provided with commercially available
<u>regulator type power supplies</u>" (Column 6, lines 64-68, column 7, lines
1-3).

It would not have been obvious to one skilled in the art at the time of Applicant's claimed
invention to be motivated to combine Dye's multi-tiered diagnostic power supply system
with Nicol to make Applicant's claimed invention. Even, assuming *arguendo*, that the
references Nicol and Dye could be combined properly, such a combination would fail to
teach or suggest every element of Applicants' claim 11, and indeed would not even solve the
problem Applicant has solved. Applicant thus respectfully submits that claim 11 is
allowable.

Dependent claim 12 depends directly from independent claim 11 which, as discussed
above, is distinguishable over Nicol in view of Dye. The combination of Nicol and Dye still
does not teach or suggest every element recited by Applicant's independent claim 11, and
therefore, cannot render obvious dependent claim 12. Furthermore, claim 12 recites "The
library, as claimed in claim 11, wherein: <u>said power supply</u> comprises a <u>first power supply</u>
comprising a first power output for providing power to said component of the library and <u>a</u>
<u>second power supply</u> comprising a second power output for providing power to a second
component of the library." Though Dye does discloses a plurality of subsystem power
supplies each associated with a subsystem, Dye does not delay power to the subsystems when
power to each power supply is turned on and as previously discussed, the primary power
supply delays power to n+1 subsystem power supplies. Thus, the combination of Nicol and
Dye fails to render claim 12 obvious for at least this further reason. Applicant thus
respectfully submits that claim 12 is allowable.

Dependent claims 13-17 depend directly or indirectly from independent claim 11
which, as discussed above, is distinguishable over Nicol in view of Dye. The combination of
Nicol and Dye still does not teach or suggest every element recited by Applicant's
independent claim 11, and therefore, cannot render obvious dependent claims 13-17.

Claims 4, 5, 23, 25, 28-30 stand rejected under 35 U.S.C. § 103(a) as being
unpatentable over Nicol in view of Lee and further in view of Dye.

18

Dependent claim 4 has been canceled herein without prejudice, obviating the rejection of this claim. Applicant may pursue the subject matter of this claim in this or other related applications.

Dependent claim 5 depends directly from independent claim 1 which, as discussed above, is distinguishable over Nicol in view of Lee. Even assuming, *arguendo*, that the Examiner's combination of Nicol and Lee and Dye is proper, and assuming that the Examiner's contention regarding the combined disclosure of Nicol and Lee and Dye is accurate, the proffered combination still fails to teach, suggest or motivate one skilled in the art to combine Dye's multi-tiered diagnostic power supply system with Nicol's library and transport system and Lee's external UPS to make Applicant's claimed invention of dependent claim 5. In fact, the combination of Lee, Dye and Nicol fail to render Applicant's claimed invention operable as intended and hence, non-obvious. Applicant therefore respectfully submits that claim 5 is allowable.

Dependent claim 23, 25, 28-30 depend directly from independent claim 18 which, as discussed above, is distinguishable over Nicol in view of Lee. The combination of Nicol and Lee still does not teach or suggest every element recited by Applicant's independent claim 18, and therefore, cannot render obvious dependent claims 23, 25, 28-30. Even assuming, *arguendo*, that the Examiner's combination of Nicol and Lee and Dye is proper, and assuming that the Examiner's contention regarding the combined disclosure of Nicol and Lee and Dye is accurate, the proffered combination still fails to teach, suggest or motivate one skilled in the art to combine each element of independent claim 18 to make Applicant's claimed invention work as intended and thus cannot render dependent claims 23, 25, 28-30 obvious. Applicant therefore respectfully submits that claims 23, 25, 28-30 are allowable.

Claim 24 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Nicol in view of Lee and further in view of Goodman.

Goodman is directed to nodal system implementing an automatic data storage library where nodes in the library are interconnected via a CAN.

Dependent claim 24 depends directly from independent claim 18 which, as discussed above, is distinguishable over Nicol in view of Lee. Furthermore, as claim 24 recites, "said power controller comprises non-volatile data storage for storing a boot-strap program." Nowhere does Goodman (nor Nicol nor Lee) disclose a <u>power controller</u> comprised by a

19

library "for monitoring said power switch for a transition from said ON state to said OFF state and after detecting said transition of said power switch from said ON state to said OFF state, issuing a power termination message to said component concerning termination of power applied to said component" that comprises non-volatile data storage, let alone the other components of the library, as previously discussed, that Nicol or Lee cannot combine. Even assuming, *arguendo*, that the Examiner's combination of Nicol and Lee and Goodman is proper, and assuming that the Examiner's contention regarding the combined disclosure of Nicol and Lee and Goodman is accurate, the proffered combination even combined is inoperative as intended and hence Applicant's claimed invention of claim 24 would not have been obvious at the time of the invention to one skilled in the art. For at least these reasons, Applicant respectfully submits that claim 24 is allowable.

Claim 26 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Nicol in view of Lee and further in view of Dye and in further view of Goodman.

Dependent claim 26 depends directly from dependent claim 25 and indirectly independent claim 18 which, as discussed above, is distinguishable over Nicol in view of Lee and in further view of Dye. Even assuming, *arguendo*, that the Examiner's combination of Nicol and Lee and Dye and Goodman is proper, and assuming that the Examiner's contention regarding the combined disclosure of Nicol and Lee and Dye and Goodman is accurate, the proffered combination still fails to teach, suggest or motivate one skilled in the art to combine Dye's multi-tiered diagnostic power supply system with Nicol's library and transport system and Lee's external UPS and Goodman's Control Area Network to make Applicant's claimed invention of dependent claim 26. In fact, the combination of Lee, Dye, Nicol and Goodman when combined fail to render Applicant's claimed invention operable as intended and hence, non-obvious. For at least these reasons, Applicant respectfully submits that claim 26 is allowable.

Claim 27 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Nicol in view of Lee and further in view of Dye and in further view of Odaohhara.

Dependent claim 27 depends directly or indirectly from dependent claim 25 and independent claim 18 which, as discussed above, is distinguishable over Nicol in view of Lee. Though Odaohhara does disclose an Inter Integrated Circuit (I2C), Odaohhara uses an I2C bus connecting systems within a portable computer (such as a laptop) for controlling

20

power consumption of components such as an LCD screen for the prolonged power life of a battery/s. One skilled in the art would not have been motivated to combine Odaohhara's portable computer with Nicol and Dye and Lee because the combination fails to make operable Applicant's claimed invention as claimed in claim 27. For at least these reasons, Applicant respectfully submits that claim 27 is allowable.

Claim Objections

According to the Office Action, claims 7, 12-14, 20-22 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Dependent claims 20-22 depend directly or indirectly from independent claim 18 which, as discussed above all distinguish over Nicol in view of Lee. Because Nicol and Lee fail to disclose at least all of the features in the base claim Applicant respectfully submits claims 20-22 are allowable as being dependent from claim 18.

New Claim Presented Herein

New claim 32 depends from claim 1 and features the transport unit as the component of claim 1, "The library, as claimed in claim 1, wherein: said component is said transport unit." This feature is described in the specification paragraph [0036] (as well as a number of other paragraphs). None of the prior art of record, including Nicol, Lee, Dye, Goodman or Odaohhara, appears to describe, teach, or suggest the invention of claim 32, and thus this claim is allowable.
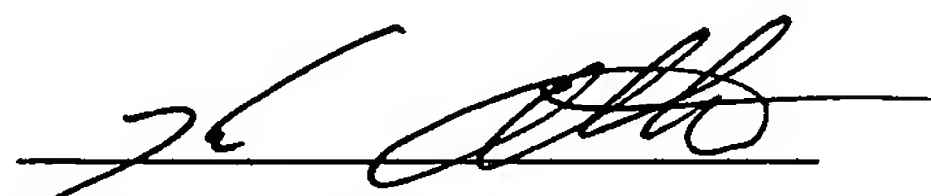
* * *

Authorization To Charge Necessary Fees

The Commissioner is hereby authorized to charge any additional necessary fees associated with this submission, or credit any overpayment, to Deposit Account No. 50-0289.

Respectfully submitted,

Dated: __7/12/06__

_____

Kenneth Altshuler
Reg. No. 50,551

Correspondence Address
WALL MARJAMA & BILINSKI LLP
101 South Salina Street, Suite 400
Syracuse, New York 13202
Telephone: (315) 425-9000
Facsimile: (315) 425-9114

Customer No.:   20874

PATENT TRADEMARK OFFICE